

**Chatterbox Services, Inc.**  
**Compliance Professionals**

**Via Electronic Filing**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. S.W.  
Washington, DC 20554

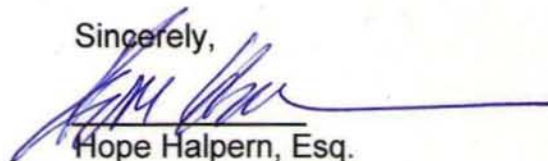
February 4, 2009

Re: Annual Customer Proprietary Network Information Compliance  
Certification; EB Docket No. 06-36 -EKU Solutions, LLC.

Dear Ms. Dortch:

Please find the attached Annual Customer Proprietary Network Information ("CPNI") Compliance Certification for ECU Solutions, LLC. Please call me if you have any questions regarding this filing.

Sincerely,



Hope Halpern, Esq.

Attach.

cc: BCPI (via First Class Mail)

**Annual 47 C.F.R. S: 64.2009(e) CPNI Certification of EKU Solutions, LLC for 2008****EB Docket 06-36**

Date filed: February 5, 2009

Form 499 Filer ID: 826433

Name of signatory: Elsa Uhl

Title of signatory: President

I, Elsa Uhl, certify that I am an officer of EKU Solutions, LLC ("EKU") and acting as an agent of EKU, that I have personal knowledge that EKU has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. S: 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how EKU's procedures ensure that it is in compliance with the requirements set forth in section 64.2001 et seq. of the Commission's rules.

EKU has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

EKU has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed \_\_\_\_\_  


**STATEMENT REGARDING OPERATING PROCEDURES IMPLEMENTING 47 C.F.R.  
SUBPART U GOVERNING THE USE OF CUSTOMER PROPRIETARY NETWORK  
INFORMATION ("CPNI")**

EKU Solutions, LLC ("EKU") has established policies and procedures to assure compliance with Part 64 of Title 47 of the Code of Federal Regulations, Subpart U – Customer Proprietary Information ("CPNI") § 64.2001et. seq. of the Commission's rules.

EKU operates primarily as a provider of wholesale international services, and provides retail services only to business customers. Provisions regarding the treatment of customer CPNI by EKU are specifically addressed in customer contracts, and each business customer is assigned its own designated account representative.

**I. Notice Required For Use of CPNI**

EKU has not provided notification to its customers and has not asked for approval to use CPNI because EKU does not use CPNI outside of the areas that are allowed without customer approval. EKU does not share customers CPNI with any joint venture partner, independent contractor or any other third party.

**II. Safeguards on the Disclosure of Customer Proprietary Network Information.** EKU has procedures in place to assure that customers are properly authenticated prior to disclosing CPNI. EKU provides service only to other wholesale providers and business customers. Each EKU customer has a dedicated account representative, and issues of CPNI protection are addressed in each customer's contract with EKU.

**III. Notification of Customer Proprietary Network Information Security Breaches.** – In the case of a breach, EKU will as soon as practicable, and in no event later than seven (7) business days, after reasonable determination of the breach, electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) through the FCC link at <http://www.fcc.gov/eb/cpni>.

(a) Notify customers only after 7 full business days have passed after notification to the USSS and the FBI unless the USSS or FBI has requested an extension.

(b) If there is an extraordinarily urgent need to notify affected customers or the public sooner in order to avoid immediate and irreparable harm, it will be done only after consultation with the relevant investigating agency. EKU shall cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

(c) Maintain a record of any breaches discovered, notifications made to the USSS and the FBI and notifications made to customers. The record will include if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. EKU shall retain the record for a minimum of 2 years.

(d) Include a summary of the breach in the annual compliance certificate filed with the FCC.



#### IV. Record Retention

EKU shall retain all information regarding CPNI. Following are the minimum retention periods EKU has established:

- CPNI notification and records of approval if used – five years
- Marketing campaign if used – one year
- Breaches: five years
- Annual Certification – five years
- Employee training certification – five years
- All other information – two years.